

All communications respecting this case should identify it by number and names of parties.



**U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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Applicant: Canich
Serial No.: 07/728,428
Filed: July 11, 1991
For: OLEFIN POLYMERIZATION
CATALYSTS

Accorded Benefit of: U.S.
S.Nos. 07/533,245, filed
06/04/90, now Patent No.
5,055,438, issued 10/08/91;
07/406,945, filed 09/13/89,
now abandoned

PA. & L. PR. T.
BOARD OF PATENT APPEALS
AND INTERFERENCES

The case referred to above has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with other cases hereafter specified. Attention is directed to the fact that this interference is declared pursuant to 37 CFR 1.601 et seq., effective February 11, 1985 (49 F.R. 48416. 1050 O.G. 385). The interference is designated as No. 102,953.

By direction of the Commissioner of Patents and Trademarks and as required by 35 USC 135(c), notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference."

The cases involved in this interference are:

Junior Party

Applicants: Jo Ann M. Canich

Address: 900 Henderson Avenue, #808, Houston, TX 77058

Serial No.: 07/728,428, filed 07/11/91

For: OLEFIN POLYMERIZATION CATALYSTS

Assignee: Exxon Chemical Patents, Inc., A Corporation of Delaware

Attorneys of Record: Ben C. Cadenhead, Myron B. Kurtzman,
Glenn A. Ousterhout, Donald L. Rhoads and
Ronald A. Krasnow

Associate Attorney: None

Accorded Benefit of: U.S. S.Nos. 07/533,245, filed 06/04/90, now
U.S. Patent No. 5,055,438, issued 10/08/91;
07/406,945, filed 09/13/89, now abandoned

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Senior Party

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4523 Bermuda Drive, Sugar Land, TX 77479

Serial No.: 07/545,403, filed 07/03/90

For: CONSTRAINED GEOMETRY ADDITION POLYMERIZATION CATALYSTS,
PROCESSES FOR THEIR PREPARATION, PRECURSORS THEREFOR,
METHODS OF USE, AND NOVEL POLYMERS FORMED THEREWITH

Serial No. 728,428

-3-

Assignee: None

Attorneys of Record: Douglas N. Deline, Bruce M. Kanuch and
Richard G. Waterman

Associate Attorneys: None

Accorded Benefit of: U.S. S.Nos. 07/436,524, filed 11/14/89;
07/520,168, filed 04/09/90; 07/401,344, filed
08/31/89, all abandoned

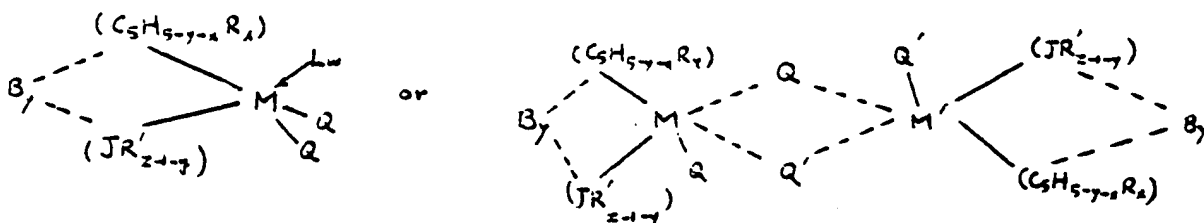
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Count 1

A metal coordination complex comprising a metal of group 4 of the periodic table of the elements and a delocalized π -bonded moiety substituted with a constrain-inducing moiety, said complex having a constrained geometry about the metal atom such that the angle at the metal between the centroid of the delocalized, substituted π -bonded moiety and the center of at least one remaining substituent [sic] is less than such angle in a similar complex containing a similar π -bonded moiety lacking in such constrain-inducing substituent, and provided further that for such complexes comprising more than one delocalized, substituted π -bonded moiety, only one thereof for each metal atom of the complex is a cyclic, delocalized, substituted π -bonded moiety.

or

A compound having the general formula:



wherein "M" is Zr, Hf or Ti;

$(C_5H_{5-y-x}R_x)$ is a cyclopentadienyl ring which is substituted with from zero to five substituent groups "R", "x" is 0, 1, 2, 3,

4, or 5 denoting the degree of substitution, and each substituent group "R" is, independently, a radical selected from a group consisting of C_1-C_{20} hydrocarbyl radicals, substituted C_1-C_{20} C_1-C_{20} [sic] hydrocarby [sic: hydrocarbyl] radicals wherein one or more hydrogen atoms is replaced by a halogen atom, C_1-C_{20} hydrocarbyl-substituted metalloids wherein the metalloid is selected from the Group IV A of the Periodic Table of Elements, and halogen radicals or $(C_5H_{5-y}R_x)$ is a cyclopentadienyl ring in which two adjacent "R" groups are joined forming C_4-C_{20} ring to give a saturated or unsaturated polycyclic cyclopentadienyl ligand;

(JR'_{z-1-y}) is a heteroatom ligand in which "J" is an element with a coordination number of three from Group V A or an element with a coordination number of two from Group VI A of the Periodic Table of Elements, and each "R'" is, independently a radical selected from a group consisting of C_1-C_{20} hydrocarbyl radicals, substituted C_1-C_{20} hydrocarbyl radicals wherein one or more hydrogen atoms is replaced by a halogen atom, and "z" is the coordination number of the element "J";

each "Q" is, independently any univalent anionic ligand or two "Q"'s are a divalent anionic chelating ligand;

"y" is 0 or 1 when "v" is greater than 0; "y" is 1 when "v" is 0;

"B" is a covalent bridging group containing a Group IV A or V A element;

"L" is a Lewis base where "v" denotes a number from 0 to 3;

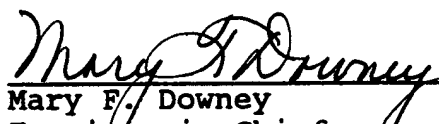
"M'" has the same meaning as "M"; and

"Q'" has the same meaning as "Q".

The claims of the parties which correspond to this count are:

Canich: Claims 2, 4-6, 25-26.

Stevens et al: Claims 1-2 and 22.


Mary F. Downey
Examiner-in-Chief
(703) 557-4003

MFD/raj

INTERFERENCE DIGEST

Interference No. 102,953 Paper No. 14
Name, Jo Ann M. Canich
Serial No. 07/728,428 Patent No. _____
Title, OLEFIN POLYMERIZATION CATALYSTS
Filed, July 11, 1991
Interference with James C. Stevens et al

DECISION ON MOTIONS

Examiner-in-Chief, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, Favorable Dated, 12/27/00

Court, _____ Dated, _____

REMARKS

